

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ROSS FLYNN and MARY ANN FLYNN,

Plaintiffs,

v.

15cv195 KG/WPL

CITY OF LAS CRUCES, NEW MEXICO,
LAS CRUCES POLICE DEPARTMENT,
Officer RICHARD GARCIA, Officer DANNY
SALCIDO, Officer JOSHUA SAVAGE,
Officer JUSTIN RAMIREZ, and Officer
ABRAHAM MADRID, in their individual
and official capacities,

Defendants.

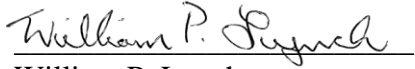
ORDER GRANTING DEFENDANTS SALCIDO AND GARCIA’S
MOTION FOR PROTECTIVE ORDER

Defendants Salcido and Garcia (“Defendants”) have filed a Motion for Protective Order. (Doc. 46.) Defendants seek to prohibit the City of Las Cruces from producing their “personnel files and other confidential personal information” in response to Plaintiffs’ First Set of Interrogatories and Requests for Production. (Doc. 46 at 1.)

Pursuant to D.N.M.LR-Civ. 7.1(a), Defendants contacted the other defendants and the plaintiffs regarding this motion. (Doc. 46 at 1.) Plaintiffs opposed the motion. (*Id.*) However, Plaintiffs did not file a response or seek an extension within seventeen days as required by D.N.M.LR-Civ. 7.4(a) and Federal Rule of Civil Procedure 6(d). Plaintiffs failure “to file and serve a response in opposition to [the] motion within the time prescribed for doing so constitutes consent to grant the motion.” D.N.M.LR-Civ. 7.1(b). Thus, by operation of the Rule, Plaintiffs have consented to the motion.

The City shall neither disclose nor discuss the contents of Defendants' personnel documents and Professional Standards Unit documents. This prohibition includes the objected to disclosures, as far as they pertain to the Defendants, requested in Interrogatories 3 and 7, (Doc. 46-1 at 8, 12), and Requests for Production 1, 2, 4, and 5. (Doc. 46-1 at 17, 18, 19.)

IT IS SO ORDERED.


William P. Lynch
United States Magistrate Judge

A true copy of this order was served on the date of entry--via mail or electronic means--to counsel of record and any pro se party as they are shown on the Court's docket.